

ZULIMA V. FARBER
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street, 5th Floor
P.O. Box 45029
Newark, New Jersey 07101

By: Doreen A. Hafner
Deputy Attorney General
Tel: (973) 648-7457

FILED
MARCH 24, 2006

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS
DOCKET NO.

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF : Administrative Action

AUGUST L. WREIOLE, D.O. **CONSENT ORDER**
LICENSE NO. MB 34165

TO PRACTICE MEDICINE AND SURGERY :
IN THE STATE OF NEW JERSEY

This matter was first opened to the New Jersey State Board of Medical Examiners ("Board") upon receipt of information that on or about October 24, 2004, August L. Wreiole, M.D. was arrested and charged with one count of Possession of a Controlled Dangerous Substance, specifically cocaine. On December 20, 2004, Dr. Wreiole entered into an Interim Consent Order granting a voluntary surrender of his license to practice medicine and surgery in the State of New Jersey. In resolution of the criminal charge, Dr. Wreiole entered into Pretrial Intervention ("PTI") on April 18, 2005. After successfully completing all of the PTI conditions, Dr. Wreiole was officially discharged from PTI in March, 2006.

On January 4, 2006, Dr. Wreiole appeared with counsel and testified before a Preliminary Evaluation Committee of the Board seeking the

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reinstatement of his license. Dr. Wreiole testified that he had inhaled cocaine on almost a daily basis for approximately a year prior to his arrest. During that period of time, he purchased cocaine from the same group of dealers. Dr. Wreiole primarily purchased cocaine at locations that were not in or around his medical office. But, on at least two occasions, Dr. Wreiole purchased cocaine in his medical office, and allowed dealers to use his medical office as a site for the weighing and packaging of cocaine.

Louis E. Baxter, Sr., M.D., Executive Medical Director of the Professional Assistance Program ("PAP"), also appeared and testified that he strongly supports Dr. Wreiole's application for reinstatement of his license. Dr. Baxter testified that Dr. Wreiole successfully completed an inpatient program at Clear Brook Manor, and that he currently participates in an aftercare program with Arnold Washton, M.D., attends four AA meetings per week, meets with a PAP representative once a month, and undergoes random twice weekly urine monitoring. Dr. Baxter testified that Dr. Wreiole has been extremely compliant with his recovery regimen, and that he has been in documented continuous, progressive recovery from his addiction to cocaine since October, 2004.

After a review of this matter, including Dr. Wreiole's testimony, the Board found that Dr. Wreiole allowed his medical office to be used as a site for the weighing and packaging of cocaine. Although the Board believes that Dr. Wreiole was dominated by the dealers who supplied him with cocaine, it finds that he engaged in serious professional misconduct **by** allowing such criminal activity **to** be conducted in his medical office.

Based upon the testimony elicited from both Dr. Wreiole and Dr. Baxter, the Board also found that Dr. Wreiole is in continuous,

progressive recovery from his addiction to cocaine, and that, with the conditions embodied in this Order, he has demonstrated sufficient rehabilitation, fitness, and ability to resume his practice of medicine.

The parties being desirous of resolving this matter without the necessity of further proceedings, and it appearing that Dr. Wreiole has read the terms of the within Order and understands their meaning and effect and consents to be bound by same, and it further appearing that the Board finds that the within Order is adequately protective of the public health, safety, and welfare,

IT IS ON THIS 23rd DAY OF March, 2006,

ORDERED:

1. The license of August L. Wreiole, D.O. ("Respondent") to practice medicine and surgery in this State is hereby suspended for twenty-four (24) months, effective from December 20, 2004, with the first fifteen (15) months active and the remainder to be stayed and served as a period of probation.

2. Respondent shall maintain absolute abstinence from all psychoactive substances and alcohol except upon prescription from a treating physician for a documented medical condition with notification to the Executive Medical Director of the PAP. Respondent shall cause any physician or dentist who prescribes medication which is a controlled dangerous substance to provide a written report to the PAP with patient records indicating the need for such medication. Such report shall be provided to the PAP no later than seven (7) days subsequent to the prescription in order to avoid any confusion which may be caused by a

confirmed positive urine test as a result of such medication.

3. Respondent shall attend Alcoholics Anonymous and/or Narcotics Anonymous meetings as directed by the **PAP** and at a minimum frequency of four (4) times per week. Respondent shall provide evidence of attendance at such groups directly to the **PAP** on a form or in a manner as required by the **PAP**. The **PAP** shall advise the Board immediately in the event it receives information that Respondent has discontinued attendance at any of the support groups.

4. Respondent shall remain in group aftercare with Arnold Washton, M.D. until such time as Dr. Washton, in consultation with the Executive Medical Director of the **PAP**, determines that Respondent's participation is no longer required.

5. Respondent shall have his urine monitored under the supervision of the **PAP** on a random, unannounced twice a week basis for the first six (6) months after resuming his practice of medicine. The urine monitoring shall be reduced to once a week for the following six (6) months. Thereafter, urine monitoring shall be on a schedule determined by the Executive Medical Director of the **PAP** consistent with Respondent's duration in recovery.

The urine monitoring shall be conducted with direct witnessing of the taking of the samples by an individual designated by the **PAP**. The testing procedure shall include a forensic chain of custody protocol to ensure sample integrity and to provide documentation in the event of a legal challenge. The **PAP** shall be responsible to assure that all urine samples are handled by a laboratory competent to provide these services.

All test results shall be provided in the first instance directly to the **PAP** and any positive results shall be reported immediately by the

PAP to the Executive Director of the Board or his designee. The Board also will retain sole discretion to modify the manner of testing in the event technical developments or individual requirements indicate that a different methodology or approach is required in order to guarantee the accuracy and reliability of the testing.

Any failure by Respondent to submit or provide a urine sample within twenty-four (24) hours of a request will be deemed to be equivalent to a confirmed positive urine test. In the event Respondent is unable to appear for a scheduled urine test or provide a urine sample due to illness or other impossibility, consent to waive that day's test must be secured from the Executive Medical Director of the **PAP**, or his designee. Neither a volunteer nor drug clinic staff shall be authorized to consent to waive a urine test. In addition, Respondent must provide the **PAP** with written substantiation of his inability to appear within two (2) days, e.g. a physician's report, attesting that Respondent was so ill that he was unable to provide the urine sample or appear for the test. "Impossibility" as employed in this provision shall mean an obstacle beyond the control of Respondent that is so insurmountable or that makes appearance for a test or provision of the urine sample so infeasible that a reasonable person would not withhold consent to waive the test on that day. The **PAP** shall immediately advise the Board **of** each instance where a request has been made to waive a urine test together with the **PAP's** determination in each such case.

6. Respondent shall attend monthly face-to-face meetings with the **PAP** for the first six (6) months after resuming his practice of medicine. Thereafter, face-to-face meetings with the **PAP** shall be on a schedule determined by the Executive Medical Director of the **PAP** consistent with

Respondent's duration in recovery.

7. The PAP shall provide quarterly reports to the Board in regard to its monitoring of Respondent as outlined herein including, but not limited to, the urine testing and attendance at support groups. The PAP shall attach to its quarterly reports any and all appropriate reports and/or documentation concerning any of the monitoring aspects of the within program. The PAP shall immediately notify the Board in the event of any indication of a relapse into substance and/or alcohol abuse, and/or non-compliance with the mandates of this Order.

8. Respondent shall obtain the agreement of Andrew Conti, M.D., FACP, via his signature on this Order, to notify orally and in writing both the PAP and the Board within 24 hours of any behavior or conduct by Respondent which is suggestive of substance abuse, or any concerns he has regarding Respondent's practice of medicine. Respondent shall provide a copy of this Order to Dr. Conti.

9. Respondent hereby consents to the entry of an Order of automatic suspension of license without notice, upon the Board's receipt of any information which the Board, in its sole discretion, deems reliable demonstrating that Respondent has failed to comply with any of the conditions herein, including but not limited to, a report of a confirmed positive urine or a prima facie showing of a relapse or recurrence of alcohol or drug abuse.

10. Respondent shall have the right to apply for removal of the automatic suspension on two (2) days notice but in such event shall be limited to a showing that the urine tested was a false positive or that other information the Board relied upon was false.

11. **Any** modifications to this Order shall require Respondent to

appear before a Committee of the Board.

12. All costs associated with the monitoring program as outlined herein shall be paid directly by Respondent.

13. Respondent shall provide appropriate releases to any and all parties who are participating in the monitoring program as outlined herein as may be required in order that all reports, records, and other pertinent information may be provided to the Board in a timely manner.

14. Respondent shall enroll in and successfully complete a Board-approved ethics course within six (6) months of the filing of this Order. Successful completion means that all sessions were attended, **all** assignments were properly and appropriately completed, and a passing grade was achieved that was unconditional and without reservation.

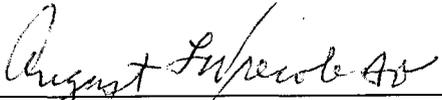
15. Respondent shall comply with the "Directives Applicable to any Medical Board Licensee who is Suspended, Revoked **or** Whose Surrender of Licensure has been Accepted", attached hereto and made a part hereof.

16. The parties hereby stipulate that entry of this Order is without prejudice to further action by this Board or other law enforcement entities resulting from Respondent's conduct prior to entry of this Order.

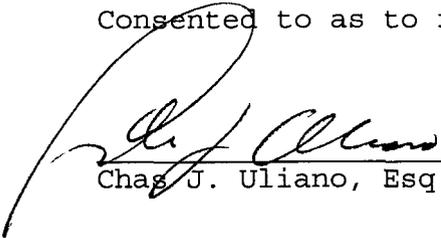
NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

By: Sindy Paul, MD, MPH
Sindy Paul, M.D., M.P.H.
President

I have read and understood
the above Order and I agree
to abide by its terms.
Consent is hereby given to
the Board to enter this Order.


August L. Wreiole, D.O.

Consented to as to form:


Chas J. Uliano, Esq.

Consented to on behalf of the
Professional Assistance Program:


Louis E. Baxter Sr., M.D.
Medical Director
Professional Assistance Program

I have read and understood
the above Order and I agree
to abide by its terms.


Andrew Conti, M.D., FACP